

Notice of Allowability

Application No.

10/811,020

Examiner

Sameh H. Tawfik

Applicant(s)

YAMPOLSKY ET AL.

Art Unit

3721

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/7/2005.
2. ☒ The allowed claim(s) is/are 1-9,12,13,20 and 21.
3. ☒ The drawings filed on 26 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 02082005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Sameh H. Tawfik
Patent Examiner
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Edward Wright on 01/27/2005.

The application has been amended as follows:

In (claim 1, line 7) after "a throat section" insert --with a pair of vertically extending side bars--;

(claim 9, lines 10 and 11) delete "knife".

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose or suggest the combination of the claimed dunnage making machine as amended on the examiner's amendment and supported by the reasons provided in the remarks filed on 01/07/2005.

As to claim 1, the prior art of record fails to disclose the claimed dunnage making machine comprising an arm extending from a side of a post opposite the to the paper, wherein a crumpling head mounted on the arm, nor a throat section with a pair of vertically extending side bars mounted on the arm between the post and the crumpling head for receiving the paper from a forming bar and urging the edge portions of the paper toward each other and causing them to gather, in the claim environment (Fig. 6).

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As to claim 6, the prior art of record fails to disclose the claimed dunnage making machine comprising a first throat section with an opening for rolling the edge portion of the paper toward each other and gathering them for crumpling, wherein a second throat section with an opening of lesser dimension than the first throat opening for gathering the central portion of the paper for further gathering the edge portions of the paper, in the claim environment (Figs. 6 and 9; via second throat section 36 and 36).

As to claim 9, the prior art of record fails to disclose the claimed dunnage making machine comprising a cylindrical mandrel having a flat side which is tangential to an axis of orientation, a plurality of blades mounted on the flat surface in zig-zag fashion along a line parallel to the axis for periodic engagement with the paper as the mandrel rotates wherein a support roller rotatable about an axis parallel to the axis of the mandrel with a surface for supporting the paper for engagement by the blades, in the claim environment (Figs. 5 and 8).

As to claim 20, the prior art of record fails to disclose the claimed dunnage making machine comprising a first throat section with an opening for rolling the edge portions of the paper toward each other and gathering them for crumpling, wherein a second throat section having an opening of lesser dimension than the first throat opening for gathering the central portion of the paper and further gathering the edge portions of the paper.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sameh H. Tawfik whose telephone number is 571-272-4470.

The examiner can normally be reached on Tuesday - Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sameh H. Tawfik
Patent Examiner
Art Unit 3721



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